

**Sacramento-San Joaquin Delta Conservancy comments on fourth staff
draft Delta Plan released on June 13, 2011**

Page; Line No.	Comment, Suggested Addition, or Edit
40; text box	<p>Period needed at end of third paragraph, beginning with 84020.</p> <p>Need to add code section 85300 before ninth paragraph, beginning with (c) The council shall review the Delta Plan...</p>
41, 30-35	<p>The description of how the DSC intends to establish and oversee the committee of agencies responsible for implementing the Delta Plan leaves many unanswered questions:</p> <ul style="list-style-type: none"> • What are the agencies the DSC considers as responsible for implementing the Delta Plan. • How does the DSC anticipate this committee to operate? • What sorts of decisions or conversations would this committee have, and would it have any review or decision making authority regarding the Delta Plan? • Would this committee serve as an advisory committee to the council for its consistency determinations? • Will there be local agency participation on this committee? • Is there a charter being developed for this committee?
42;11-26	<p>Switch the sections 11-19 and 20-26. This will keep the rest of the document parallel. The introductory text lists three roles for the council in a certain order, yet that order is not followed by the following text. By switching the sections, the order of additional information will be the same as in the introductory text.</p>
43; Figure 3-1	<p>Under the "Comment" wedge of the graphic, it is unclear if the council anticipates reviewing all state environmental impact reports or only those that pertain to the Delta. Rewrite: Comments on state environmental impact reports regarding Delta or Delta-related projects.</p>
44, 33	<p>The appellate procedures are in Appendix B, not Appendix A.</p>
44, 32-37	<p>The discussion about early consultation, like that of the committee of agencies, leaves many unanswered questions:</p> <ul style="list-style-type: none"> • Will this be a formal consultation process or informal? • Who on the council will participate in the early consultation? • Can this early consultation process be partnered with any other similar process? • Would any other agencies have a role in the early consultation process? • Given the labyrinthine description of how projects in plans deemed consistent with the Delta Plan will still need to undergo individual consistency determinations (page 47),
44, 38-39, footnote, and 45, 1-6	<p>This section is confusing: lines 38-39 lead the reader to think that ministerial actions are not covered actions, then on page 46, lines 2-6, explain the need to have a certificate of consistency with the Delta Plan on file with the council. The footnote ought to be more clear too. Example: There is no cross-reference between CEQA's exemption for ministerial projects and the council's certificate of consistency. Ministerial projects still need to have a certificate of consistency with the council on file.</p>

45, 19	When will the council have the checklist developed? Will it be part of the Delta Plan, or come afterwards?
General	There is a lack of specificity in terms of other entities sharing or partnering with the DSC in Delta Governance. As it is written, it reads as if the DSC is the only arbiter of decisions affecting the Delta, and there is no discussion about the role of the Delta Conservancy or any other entity (state, federal, or local) and their interaction with the DSC.

Page; Line No.	Comment, Suggested Addition, or Edit
86, Chap 5	This chapter should include a thorough discussion of tradeoffs inherent in ecosystem restoration, including potential impacts on agriculture, other related economic impacts and the need for regulatory flexibility to avoid such impacts.
92, 26	Change text to read - "As part of its Strategic Plan and subsequent Implementation Plan or annual work plans, the Delta Conservancy should:"
98, 21-23	<p>"The Delta Conservancy and others develop and adopt clear strategies (including prioritization) and spatial and temporal targets (locations, number of acres, schedule) for large-scale Delta ecosystem restoration."</p> <p>This section implies that the DC will be the lead for development of spatial and temporal targets. Our expectation is that targets will come from a combination of the Delta Plan, the BDCP, and the ERP Conservation Strategy for Stage 2 Implementation, and that the Delta Conservancy will play a significant role, along with DWR, DFG, BDCP, and DPC, in coordinating, integrating and implementing the targets.</p>
136, 18-30	Policies RR P1 & 2 should recognize the ecosystem and flood protection benefits provided by agricultural lands and provide flexibility accordingly.
140, 9-10	<p>"The Department of Water Resources, in conjunction with the Department of Fish and Game and Delta Conservancy, should adopt criteria to define locations for future setback levees in the Delta and Delta watershed."</p> <p>This language is more consistent with our expectations, but should include BDCP and DPC.</p>
163, 5-7	There are no milestones or benchmarks given for "progress toward increased visitation". How will this progress be tracked or measured?
173, 34-39	<p>FP R9 – Replace existing text with – "Sufficient funding should be provided to the Delta Conservancy to commence implementation of the ecosystem restoration portion of the Delta Plan. This would include building the capabilities to administer and monitor the Conservancy's projects, as well as funding initial early start projects approved by the Conservancy Board. Funding should be no less than \$50 million and should be allocated from existing bond funds, or from any new funds authorized by voters. Total dollar amount allocated for this purpose will depend on all available funding sources and may well exceed \$50 million."</p> <p>FP R10 – Replace existing text with – "The Delta Conservancy, in conjunction with other appropriate agencies, should investigate carbon offsets as a revenue source for Delta islands."</p>